

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

JASON A. RICHER,
Plaintiff

v.

JASON PARMELEE as the Finance Director of
THE TOWN OF NORTH SMITHFIELD,
TOWN OF NORTH SMITHFIELD, and
STEVEN E. REYNOLDS in his official
capacity as Chief of the NORTH SMITHFIELD
POLICE DEPARTMENT
Defendants

C.A. No. 15-162

PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO FILE A SUR-REPLY

Having now read Brownsburg Community School Corp. v. Natare Corp., 824 N.E.2d 336 (Ind. 2005), Plaintiff agrees with Defendants that it overturns Brownsburg Community School Corp. v. Natare Corp., 808 N.E. 2d 148 (Ind. Ct. App. 2004), which Plaintiff cited in his most recent memorandum. Plaintiff's counsel regrets the error and apologizes to the Court and Defendants.

Having said that, Plaintiff submits that it is sufficient that the Court has been alerted to this error and can disregard the citation in his memorandum. The issue does not require further briefing, especially considering that that Plaintiff filed his Motion for Partial Summary Judgment seven months ago and there have already been three rounds of memoranda filed respecting it.

Respectfully submitted,

/s/ Thomas W. Lyons

Thomas W. Lyons #2946

Rhiannon S. Huffman, Esq. #8642

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Date: February 23, 2016

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CERTIFICATION

I hereby certify that on February 23, 2016, a copy of the foregoing was filed and served electronically on all registered CM/ECF users through the Court's electronic filing system and served by email on Marc DeSisto, Esq., attorney for defendants. Parties may access this filing through the Court's CM/ECF system.

/s/ Thomas W. Lyons